

JOURNAL OF THE SENATE

58

Thursday, April 16, 1953

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 15, 1953.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

—38

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. E. Hall.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, April 14, 1953, was further corrected as follows:

Page 2, column 1, in line 27, counting from the bottom of the column, strike out the word "on" and insert in lieu thereof the word "of".

Also—

Page 2, column 2, line 12, before the word "perpetuation" strike out the word "of" and insert in lieu thereof the word "or".

Also—

Page 3, column 1, line 31, strike out the word "therefor" and insert in lieu thereof the word "therefore".

Also—

Page 4, column 2, line 17, counting from the bottom of the column, following the figures "185,400" and before the word "according" insert the word "persons".

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 15, 1953, was corrected as follows:

Page 3, column 1, strike out line 13 "By Senator Pearce—" and insert in lieu thereof "By Senators Pearce, Johnson, Boyle, Fraser, Gautier (28th), Baker and Rodgers—".

Also—

Page 6, column 1, line 7, following the word "providing" and before the word "for" insert the word "penalty".

Also—

Page 7, column 2, between line 1 and 2, insert the following:

" S. B. No. 185—"

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 178—A bill to be entitled An Act pertaining to plats and platting and defining the same; requiring the approval

and recording of plats in certain cases; prohibiting the conveyance, leasing or mortgaging of lands, or any agreement with reference thereto by reference solely to a plat unless such plat shall have been approved and recorded, and making any such prohibited conveyances, leases or mortgages or agreements void and prohibiting the recording of the same; making it a misdemeanor to sell or contract to sell platted lands unless a plat thereof is approved and recorded except by order of court; authorizing the Board of County Commissioners of each county and the governing body of each municipality to prescribe the width of roads, streets, alleys and other thoroughfares, and setbacks therefrom, and to name or number the same; making certain requirements a prerequisite to approval of plats; providing procedure for and effect of vacating plats; authorizing Board of County Commissioners of each county and governing body of each municipality to adopt rules and regulations to effectuate provisions and purposes of this Act; repealing all laws and parts of laws in conflict herewith and providing when this Act shall take effect.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 83—A bill to be entitled An Act relating to the negligent or careless shooting, wounding or killing of human beings while hunting in this State, providing for the cancellation of the hunting licenses, of persons so convicted within or without this State, and prohibiting the sale of hunting licenses to such persons.

—and recommends that the same do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 40—A bill to be entitled An Act invalidating contracts in restraint of trade; authorizing enforcement of certain agreements not to compete for limited time within limited area.

—and the Committee recommends that the Committee substitute therefor, as reported herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Houghton, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following Bill:

S. B. No. 119—A bill to be entitled An Act relating to punishment and providing that whenever punishment by imprisonment is prescribed the court may in its discretion, where the sentence is for a term of two years or less, direct that the imprisonment be in the county jail.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 31—A bill to be entitled An Act relating to pro-

ceedings supplemental to eminent domain; amending Section 74.01, Florida Statutes, relating to the filing by the State of Florida and other public agencies of a declaration of taking in eminent domain court proceedings, by providing also for such filing in such proceedings by any department or board of any municipality and by rural electric cooperatives and public utilities having the statutory power of eminent domain for the purpose of securing rights of way, easements or other properties for municipal, rural electric cooperative or public utility purposes; repealing conflicting laws; and fixing the effective date of this Act.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Ripley, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following Bill:

S. B. No. 70—A bill to be entitled An Act providing for the financing by counties and municipalities in the State of Florida of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes, providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of bridges, causeways and tunnels by counties and waterworks systems, bridges, causeways, tunnels, and harbor and port facilities by municipalities, authorizing the issuance of revenue bonds, payable solely from revenues, to pay the cost of such projects, providing that no debt of any such county or municipality shall be incurred in the exercise of any of the powers granted by this Act, and that no county or municipality shall have the power to levy taxes for the payment of such revenue bonds; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds and for the cost of maintenance, repair and operation of such projects; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering any such projects; authorizing the issuance of revenue refunding bonds; and prescribing the powers and duties of counties and municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Rogells, Chairman of the Committee on Welfare, reported that the Committee had carefully considered the following Bill:

S. B. No. 63—A bill to be entitled An Act defining blind persons, blind made products and services, prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind made other than as herein defined and providing penalty.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Davis, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 92—A bill to be entitled An Act amending Section 205.15, Florida Statutes, relating to the exemption of certain persons from the payment of business or occupational license taxes, by repealing the provision exempting deaf and dumb persons.

S. B. No. 132—A bill to be entitled An Act to define and prohibit the unfair sales of cigarettes; to prohibit the creation or perpetuation of monopolies therein; and to provide remedies and set forth penalties for violation.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Davis, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 108—A bill to be entitled An Act relating to advertising and selling land for unpaid taxes.

—and the Committee recommends that the Committee substitute therefor, as reported herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bills:

S. B. No. 41—A bill to be entitled An Act to authorize the Florida Railroad and Public Utilities Commission to issue certificates of public convenience and necessity to persons operating or constructing any line, facility, or system, or extension thereof, used in furnishing telephone service within this State; providing the procedure therefor; prescribing penalties for violations; and for other purposes.

S. B. No. 129—A bill to be entitled An Act amending Subsection (3) of Section 425.10 of Florida Statutes, relating to election of trustees of rural electric co-operative and setting forth their term of office.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Tapper, Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bills:

S. B. No. 180—A bill to be entitled An Act amending Section 341.02 Florida Statutes relating to headquarters and residence of the Chairman of the State Road Department and bond for all members.

S. B. No. 78—A bill to be entitled An Act providing that whenever any form of bid on any proposed public contract requires a good faith deposit of a certified check, to accompany the bid, such requirement shall be satisfied by deposit of either a certified check, a cashier's check, treasurer's check or bank draft of any national or state bank.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF RESOLUTIONS, MEMORIALS,

BILLS AND JOINT RESOLUTIONS.

By Senator Ripley—

S. B. No. 191—A bill to be entitled An Act relating to small loans, amending Section 516.17, Florida Statutes, 1949, by repealing that provision thereof imposing certain duties of the employer on behalf of the creditor of any person giving an assignment of or order for the payment of salary, wages, commissions or other compensation for services to secure a loan of three hundred dollars or less.

Which was read the first time by title only and referred to the Committee on Banking and Loans.

By the Committee on Cities and Towns—

S. B. No. 192—A bill to be entitled An Act relating to the revision and codification of ordinances by municipalities and validating certain revisions and codifications heretofore made.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committee on Cities and Towns—

S. B. No. 193—A bill to be entitled An Act authorizing municipalities to adopt or incorporate by reference any published code or public record as defined herein; requiring the filing of such codes and public records; prohibiting the adoption of penalty clauses by reference; authorizing municipalities to appoint officers and boards to administer and enforce such adopted codes; ratifying the prior adoption of such codes and public records by reference; and providing for the severability of provisions hereof.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator King—

S. B. No. 194—A bill to be entitled An Act authorizing the integration of territory into the City of Winter Haven, which territory is adjacent to the city limits of the City of Winter Haven as they now or may hereafter exist; providing for the procedure to be followed in order to integrate such territory; providing for the extension of municipal services into such integrated territory; providing for certain exemptions of such integrated territory from the obligation of certain existing indebtednesses of the City of Winter Haven, outstanding at the date of the integration of such territory; providing for the participation of the residents of such integrated area in the government of the City of Winter Haven; providing for the extension of the corporate limits of the City of Winter Haven and for the powers, duties and jurisdictions of the municipal government in the territory within said limits as extended.

Which was read the first time by title only.

Senator King moved that the rules be waived and Senate Bill No. 194 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 194 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 194 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 194 was read the third time in full.

Upon the passage of Senate Bill No. 194 the roll was called and the vote was:

Yeas—38

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 194 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Floyd—

S. B. No. 195—A bill to be entitled An Act to amend Chapter 16, Florida Statutes, by adding a section to be numbered 16.501; to provide for the distribution of free copies of Florida Statutes; repealing subsection (2) of Section 16.50, Florida Statutes, relating to copyrights; sale and distribution of free copies.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Collins—

S. B. No. 196—A bill to be entitled An Act giving the power and authority to the State Budget Commission to make, or cause to be made under its supervision, a survey study and report of all state employment, compensation and pay scales, embracing all phases of sound personnel administration in state government, with the power and authority to put into effect the recommendations as made to the fullest extent possible, and to make specific recommendations to the 1955 regular session of the legislature, and providing an appropriation therefor.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Boyle—

S. B. No. 197—A bill to be entitled An Act relating to the equipment of motor vehicles with safety glass and prescribing the powers and duties of the department of public safety and the Motor Vehicle Commissioner in administering said Act.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator King—

S. B. No. 198—A bill to be entitled An Act to amend Section 39.15, Subsection (1), Florida Statutes, relating to qualifications and selection of judges of separate juvenile courts by setting forth additional qualifications and repealing the requirement that said judge be a member of the Florida Bar.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator King—

S. B. No. 199—A bill to be entitled An Act relating to water hyacinths; amending Section 861.04, Florida Statutes, making it unlawful to place water hyacinths in the territorial waters of the State; and providing a penalty.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Lindler—

S. B. No. 200—A bill to be entitled An Act relating to the Minimum Foundation Program Fund; amending Subsections (4) and (5) of Section 236.07, Florida Statutes, relating to the procedure for determining the annual apportionment to counties from said fund, by increasing the amount to be included for transportation and prescribing amount to be used for obtaining instructional materials.

Which was read the first time by title only and referred to the Committee on Education and the Committee on Appropriations, in the order named.

By Senator Beall—

S. B. No. 201—A bill to be entitled An Act amending Section 381.09, Florida Statutes, relating to the compensation of the members of the State Board of Health and State health officer, by providing only the compensation and expenses of the board members.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Beall—

S. B. No. 202—A bill to be entitled An Act to amend Section 320.10, Florida Statutes, relating to motor vehicle licenses, by exempting all motor vehicles owned and operated by volunteer fire departments from the payment of a motor vehicle license tax.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Gautier (28th)—

S. B. No. 203—A bill to be entitled An Act relating to public welfare; amending Section 409.182, Florida Statutes, providing for proceedings to be brought in the courts of the State as a condition precedent to receiving aid for dependent children under Chapter 409, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Gautier (28th)—

S. B. No. 204—A bill to be entitled An Act relating to State welfare; amending Section 409.182, Florida Statutes, by providing that certain proceedings in the courts be brought by the mother of a dependent child as a condition precedent to filing application for aid under Chapter 409, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Gautier (28th)—

S. B. No. 205—A bill to be entitled An Act relating to public welfare; amending Subsection (2) of Section 409.36, Florida Statutes, providing for investigations of applications under Chapter 409, Florida Statutes, and prosecutions for fraud for violations of the provisions of said Chapter 409, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Gautier (28th)—

S. B. No. 206—A bill to be entitled An Act amending Section 828.17, Florida Statutes, relating to arrest without warrant of violations of law on cruelty to children and animals.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Gautier (28th)—

Senate Joint Resolution No. 207:

A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 2, ARTICLE III, CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO REGULAR AND EXTRA SESSIONS OF THE LEGISLATURE, BY ADDING TO SAID SECTION A PROVISION FOR THE CONVENING OF THE LEGISLATURE INTO EXTRA SESSION BY THE MEMBERS THEREOF.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That an amendment of Section 2 of Article III of the Florida Constitution, by adding thereto a provision for convening of the Legislature into extra session by the members thereof, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held in the year 1954, as follows:

Section 2. **Regular and extra sessions.** The regular sessions of the Legislature shall be held biennially, commencing on the first Tuesday after the first Monday in April, A. D. 1887, and on the corresponding day of every second year thereafter, but the Governor may convene the same in extra session by his proclamation. Regular sessions of the Legislature may extend to sixty days, but no special session convened by the Governor shall exceed twenty days. Provided, that the Legislature may also be convened in extra session by the members thereof in the following manner: When twenty per cent of the members of the Legislature shall execute in writing and file with the Secretary of State their certificates that, in their opinions, conditions exist in the affairs of the State of Florida which warrant the convening of the Legislature into extra session, the Secretary of State shall, within seven days after receiving the requisite number of such certificates, poll the members of the Legislature upon the matter of convening in extra session and, upon the affirmative vote of two-thirds of the members of the House of Representatives and two-thirds of the members of the Senate, the Secretary of State shall forthwith fix the day and hour for convening of such extra session, and notice thereof shall be given each member by registered mail within ten days after receiving the requisite number of said certificates. The time for convening of said session shall be not less than ten days and not more than twenty days from the date of mailing said notices, and the order of the Secretary of State fixing such time and the date of mailing said notices shall be preserved among the records of his office. In pursuance of said certificates, affirmative vote of the membership and notice, the Legislature shall convene in extra session for all purposes as if convened in regular session provided, however, that any such extra session of the Legislature convened by the members thereof shall be limited to a period of thirty days. Should the Secretary of State fail to receive the requisite number of said certificates requesting the convening of an extra session of the Legislature within a period of sixty days after receipt of the first of said certificates, all certificates previously filed shall be rendered null and void and no extra session shall be called and said certificates shall not be used at any future time for the convening

of the Legislature. However, all of said certificates shall be preserved in the records of the office of the Secretary of State.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Gautier (28th)—

S. B. No. 208—A bill to be entitled An Act relating to the Florida State Improvement Commission; limiting said commission to the expenditure, obligation or financing of funds the total of which shall not exceed one hundred thousand dollars (\$100,000.00) in any biennium unless otherwise provided by law.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization.

By Senator Gautier (28th)—

S. B. No. 209—A bill to be entitled An Act relating to the collection of Class "C" Intangible Personal Property Taxes by amending Subsection (3) of Section 199.11, Florida Statutes, to provide that the clerk of the circuit court may collect the tax imposed on Class "C" Intangible Personal Property and providing for the transmittal of the monies received by the clerk to the tax collector.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Floyd, Douglas, Hodges, Melvin and Connor—

Senate Joint Resolution No. 210—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION, RELATING TO THE RIGHT OF SUFFRAGE AND ELIGIBILITY, BY AMENDING SECTIONS 1 AND 3 THEREOF PERTAINING TO THE MINIMUM AGE AND OATH OF ELECTORS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following Amendment to Article VI, Sections 1 and 3 of the Constitution of Florida is hereby agreed and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in November, A. D. 1954, as follows:

Section 1. **Electors.**—Every person of the age of eighteen years and upward that shall, at the time of registration, be a citizen of the United States, and that shall have resided and had his habitation, domicile, home and place of permanent abode in Florida for one year and in the county for six months, shall in such county be deemed a qualified elector at all elections under this constitution. Naturalized citizens of the United States at the time of and before registration shall produce to the registration officer his certificate of naturalization or a duly certified copy thereof.

Section 3. **Oath of Electors.**—Every elector shall at the time of his registration take and subscribe to the following oath: "I do solemnly swear or affirm that I will protect and defend the Constitution of the United States and the State of Florida, that I am eighteen years of age, and have been a resident of the State of Florida for twelve months and of this county for six months, and I am qualified to vote under the Constitution and laws of the State of Florida."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Ripley—

S. B. No. 211—A bill to be entitled An Act to amend Section 8 of Chapter 22263, Laws of Florida, Special Acts of 1943, entitled "An Act Providing Civil Service for Employees of Duval County and Creating a Civil Service Board for said County", by providing in said Section 8 of said Act that all employees coming under the provisions of said Chapter 22263 shall be entitled to an annual vacation with full pay for the following durations: employees with less than ten years service, two weeks vacation, employees with ten years or more service, three weeks vacation.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 211 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Ripley moved that the rules be waived and Senate Bill No. 211 to be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 211 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 211 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 211 was read the third time in full.

Upon the passage of Senate Bill No. 211 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 211 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Melvin—

S. B. No. 212—A bill to be entitled An Act relating to ownership of rights to minerals; providing for the levy of excise tax on all leases, ownerships or other rights in minerals upon or under lands in the State; providing the procedure therefor; providing the distribution on such excise taxes; and providing penalties for violations.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Dayton, Gautier (13th), Crary, Gautier (28th), Ripley, Pearce, Houghton, Beall, Franklin, Leaird, Melvin, Connor, Lindler, McArthur and Carlton—

S. B. No. 213—A bill to be entitled An Act amending Subsection 1 of Section 231.09 Florida Statutes, 1951, relating to duties of instructional personnel of the public school system to exempt from certain types of instruction pupils whose parents object to such instruction on religious grounds.

Which was read the first time by title only and referred to the Committee on Education.

By Senators Dayton, Gautier (13th), Morrow, Crary, Ripley, Pearce, Houghton, Beall, Franklin, Leaird, Melvin, Connor, Lindler, McArthur and Carlton—

S. B. No. 214—A bill to be entitled An Act to amend Section 232.30, Florida Statutes, 1951, relating to medical examination of school children by providing for exemption of any child therefrom whose parents or guardian object on religious grounds.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Branch—

S. B. No. 215—A bill to be entitled An Act to make the royal palm, roystonea regia, the State tree of the State of Florida.

Which was read the first time by title only and referred to the Committee on Forestry and Parks.

By Senators Hodges, Connor and Floyd—

S. B. No. 216—A bill to be entitled An Act amending Subsection (5) of Section 500.11 of Florida Statutes relating to the misbranding of food.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Hodges, Connor and Floyd—

S. B. No. 217—A bill to be entitled An Act relating to the Taxation of Aviation Motor Fuel; Section 208.05, Florida Statutes, exempting aviation motor fuel is amended to direct the imposition of state tax on aviation motor fuel.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Tapper and Leaird—

S. B. No. 218—A bill to be entitled An Act to prohibit the construction of new buildings in the State University System without express legislative authority; and making certain exceptions thereto.

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senators Tapper and Leaird —

Senate Joint Resolution No. 219:

PROPOSING AN AMENDMENT TO SECTION SIX OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO ELECTION AND TERMS OF COUNTY OFFICERS; BY ABOLISHING THE ELECTIVE OFFICE OF COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION AND PROVIDING FOR THE EMPLOYMENT OF A COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION BY THE COUNTY SCHOOL BOARDS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That the following amendment to Section Six of Article VIII of the State Constitution shall be submitted to the qualified electors of the state for adoption or rejection at the general election to be held in November, 1954.

Section 6. Election of County Officers; Terms.—The legislature shall provide for the election by the qualified electors in each county of the following county officers; A clerk of the circuit court, a sheriff, constables for such justice of the peace districts as may be authorized under the provisions of Article V, Section 21; a county assessor of taxes, a tax collector and a county surveyor. The term of office of all county officers mentioned in this section shall be four years. The legislature shall provide by law for the care and custody of all county funds and shall provide the method of reporting and paying out all such funds.

The elective office of county superintendent of public instruction is hereby abolished and upon the expiration of the terms of office of those now in office, the several boards of public instruction shall employ a county superintendent of public instruction for the administration of the county schools.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senators Tapper and Leaird—

Senate Joint Resolution No. 220:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10 OF ARTICLE XII OF THE STATE CONSTITUTION RELATING TO SPECIAL TAX SCHOOL DISTRICTS; BY ABOLISHING THE OFFICE OF SCHOOL DISTRICT TRUSTEE AND PROVIDING THAT THE MEMBERS OF THE COUNTY BOARDS OF PUBLIC INSTRUCTION SHALL BE VESTED WITH ALL THE POWERS AND DUTIES OF TRUSTEES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That the following amendment to Section 10 of Article XII of the State Constitution shall be submitted

to the qualified electors of the state for adoption or rejection at the general election to be held in November, 1954:

Section 10. County school districts; board members; tax.—The Legislature may provide for the division of any county or counties into convenient school districts; and for the levy and collection of a district school tax, for the exclusive use of public free schools within the district, whenever a majority of the qualified electors thereof that pay a tax on real, or personal property shall vote in favor of such levy; provided, that any tax authorized by this section shall not exceed ten (10) mills on the dollar in any one (1) year on the taxable property of the district. The office of special tax school district trustee is abolished and the county boards of public instruction shall have supervision of all the schools within the districts and shall exercise and perform all powers and duties formerly vested in school district trustees.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senators Tapper and Leaird—

S. B. No. 221—A bill to be entitled An Act to require the State Board of Control to submit a schedule of certain fees and charges for institutions of higher learning with the Legislative budgets and to prohibit an increase in such fees and charges.

Which was read the first time by title only and referred to the Committee on Education and the Committee on Judiciary "B", in the order named.

By Senators Tapper and Leaird—

S. B. No. 222—A bill to be entitled An Act to repeal Section 241.47, Florida Statutes, creating the University of South Florida.

Which was read the first time by title only and referred to the Committee on Education.

By Senators Leaird and Tapper—

S. B. No. 223—A bill to be entitled An Act to amend Section 236.04, Florida Statutes, relating to the Minimum Foundation Program, by deleting reference to kindergartens and limiting grades thirteen and fourteen to existing junior colleges in the computation of instruction units; repealing Subsection (3) of Section 236.04, Florida Statutes, relating to instruction units for attendance in kindergartens; by requiring each county to employ a number of teachers not less than 95% of the instruction units calculated for such county and upon failure so to do to have such instruction units reduced; and making this Act effective July 1, 1953.

Which was read the first time by title only and referred to the Committee on Education.

By Senators Tapper and Leaird—

S. B. No. 224—A bill to be entitled An Act to amend Section 236.07, Florida Statutes, relating to the Minimum Foundation Program, by requiring actual degrees for certification of teachers in ranks I, II, and III, with certain exceptions; by increasing the allotments for teachers' salaries under the program by ranks of teachers; by providing a minimum salary for teachers under the program; by providing that no Minimum Foundation Program funds may be expended for driving instruction programs, kindergartens, additional junior colleges or summer recreation programs; and making this Act effective July 1, 1953.

Which was read the first time by title only and referred to the Committee on Education and the Committee on Appropriations, in the order named.

By Senator Davis—

S. B. No. 225—A bill to be entitled An Act relating to proof of damages after default entered against defendant by adding new section to Chapter 50, Florida Statutes, empowering judge to hear evidence and enter final judgment either in vacation or term time without a jury.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Carlton—

S. B. No. 226—A bill to be entitled An Act to repeal Section 320.58, Florida Statutes, relating to license inspectors, appointment, powers and duties; amends Subsection (1) of Section 321.05, Florida Statutes, relating to the highway patrol, their duties, functions and powers of patrol officers; providing duty of inspecting licenses by patrol officers; providing effective date.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization and the Committee on Judiciary "C", in the order named.

By Senator Carlton—

S. B. No. 227—A bill to be entitled An Act amending Section 849.12, Florida Statutes, relating to the forfeiture of money and prizes used in the operation of lotteries and other gambling.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Connor and Hodges—

S. B. No. 228—A bill to be entitled An Act relating to salt water fisheries, amending Section 374.30, Florida Statutes, by requiring a license for the sale of frozen seafood; amending Section 374.31, Florida Statutes by extending the definition of wholesale and retail seafood dealers to include sellers of frozen seafood.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Crary—

S. B. No. 229—A bill to be entitled An Act declaring it unlawful to sell, offer for sale, negotiate, provide, or arrange for the transportation of a person or persons on an individual fare basis over the public highways of the State, or to advertise or hold oneself out as doing any of such acts, unless such transportation is to be furnished or provided solely by, and such sale is authorized by, a carrier holding a certificate of public convenience and necessity or other permit from the Florida Railroad and Public Utilities Commission or a permit from the Interstate Commerce Commission authorizing the holder of such certificate or permit to provide such transportation; providing certain exceptions; prescribing certain penalties for violating this Act; repealing all laws and parts of laws in conflict herewith; and providing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Transportation and Traffic.

By Senator Crary—

S. B. No. 230—A bill to be entitled An Act setting Statewide salaries of the following county officials: the Clerk of the Circuit Court, the Clerk of the Court of Record, the Tax Collector, the Assessor of Taxes, the County Judge and Sheriff; providing a budget procedure for said county officials; creating a Board of County Officers' Budget Appeals setting forth their powers and duties; providing for the procedures for paying the salaries and expenses of the said county officials' offices; providing for the disposition of the fees and commissions collected by said county officials and for the records thereof; providing for the duties of the Board of County Commissioners and Budget Commissions respecting the above procedures; providing for the procedures for handling cash bail bond receipts; providing for the severability of invalid portions; providing for the repeal of all special, local, and general laws inconsistent with this Act; and setting the effective date.

Which was read the first time by title only and referred to the Committee on County Organizations and the Committee on Governmental Reorganization, in the order named.

By Senator Melvin—

S. B. No. 231—A bill to be entitled An Act to amend Sections 443.03, 443.04, 443.06, 443.07, 443.08, 443.09, 443.11, and 443.15, Florida Statutes 1951, known as the "Unemployment Compensation Law," relating to definitions, weekly benefit amount, disqualification for fraud, redeterminations of

claims, contribution rates, transfer of employment experience, terminations and election, Board of Review, and collection of contributions; and making this Act effective July 1, 1953.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Melvin—

S. B. No. 232—A bill to be entitled An Act to amend Sections 6, 8, 9, 10, and 13 of Chapter 446, Florida Statutes 1951, relating to apprentices by providing for an Apprenticeship Department, a policy making Apprenticeship Council, and making this Act effective July 1, 1953.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Johnson—

S. B. No. 233—A bill to be entitled An Act providing for compensation to the prosecuting attorney of the County Court in all counties of the State of Florida having a population of not less than 36,400 or more than 37,000 according to the last preceding federal census; providing that said compensation shall be \$800.00 per annum and \$7.50 for each conviction or plea of guilty and ten (10) per cent of each cash bond or surety appearance bond estreated in his court and providing that said salary is to be paid from the general revenue fund and the conviction fees and bond estreature fees to be paid from the fine and forfeiture fund of said county. Such compensation to be in addition to that now provided by law.

Which was read the first time by title only.

Senator Johnson moved that the rules be waived and Senate Bill No. 233 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 233 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 233 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 233 was read the third time in full.

Upon the passage of Senate Bill No. 233 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None

So Senate Bill No. 233 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

S. B. No. 234—A bill to be entitled An Act creating and establishing the Florida Livestock Board, and fixing its powers, jurisdiction, duties and authority, and making applicable the provisions of Chapter 585, Florida Statutes, to said board; repealing Sections 585.02 and 585.03, Florida Statutes; and abolishing the State Livestock Sanitary Board and the terms of office of its members.

Which was read the first time by title only and referred to the Committee on Livestock.

By Senator Collins—

S. B. No. 235—A bill to be entitled An Act to require the courts of the State to refer all cases of conviction of non-capital felonies to the State Parole Commission for investigation and recommendation as to probation; providing a minimum and maximum sentence in such cases; providing for the screening, relative to place of confinement, of prisoners sentenced under this Act; prescribing certain powers, and imposing certain duties on the Parole Commission, Commissioner of Agriculture, Board of Commissioners of State Institutions, Superintendent of the State Prison, relative to rehabilitation of such prisoners; providing, and prescribing certain conditions, for parole, and recommendations for pardon or commutation of sentence of such prisoners; providing for employment of certain trained personnel by the Board of Commissioners of State Institutions necessary to such rehabilitation; repealing certain laws relative to minimum sentences; excepting certain fines and penalties from the provisions hereof; and providing that all laws and parts of laws in conflict herewith shall be of no force and effect to the extent of such conflict.

Which was read the first time by title only and referred to the Committee on Prisons and Convicts.

By Senator Sturgis—

S. B. No. 236—A bill to be entitled An Act relating to limitations of actions: providing an additional Section to Chapter 95, Florida Statutes; providing that provisions of existing law which bar actions not commenced within twenty years shall apply to actions by the State, or its agencies, or by any county or municipal corporation; and providing period after effective date of this Act in which State, its agencies, counties or municipal corporations may commence actions which would otherwise be barred by this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

Senate Joint Resolution No. 237:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO APPORTIONMENT IN THE SENATE AND HOUSE OF REPRESENTATIVES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Section 3 of Article VII of the Constitution of the State of Florida, relating to apportionment of representation in the Senate and House of Representatives of the State of Florida, be and the same is hereby amended, and as amended is agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at a special election to be held on the first Tuesday after the first Monday in November A. D. 1954; said Section 3 of Article VII, as amended, to read as follows:

Section 3. Apportionment of representation in the Senate and House of Representatives. There shall be thirty-eight Senatorial Districts, each of which shall have one Senator; and such apportionment and designation thereof as by statute shall be made to become effective upon the adoption hereof shall remain in force until reapportionment is made by the Legislature pursuant hereto. At the regular session of the Legislature A. D. 1955, and at the regular sessions thereof that shall meet every ten years thereafter, the Legislature shall reapportion the representation in the Senate by revising the territory of as many of the Senatorial Districts as shall be necessary in order to constitute the several Senatorial Districts as nearly equal in population as practicable, and in so doing the Legislature shall observe the following mandatory requirements: (a) No county shall be divided in creating any Senatorial District; (b) Two or more counties forming one Senatorial District shall not be entirely separated by territory of another district; and (c) the territory of each of the three Senatorial Districts having the least population according to the decennial federal census last preceding such reapportionment shall be included among those Senatorial Districts whose territory is revised on the occasion of each reapportionment hereunder. At the regular session of the Legislature A. D. 1955, and at the regular sessions thereof that

shall meet every ten years thereafter, the Legislature shall also reapportion the representation in the House of Representatives, and shall allow three Representatives to each of the five most populous counties, and two Representatives to each of the next eighteen more populous counties, and one Representative to each of the remaining counties of the State at the time of such reapportionment. A county created during the ten year intervals between reapportionment shall be entitled to one Representative in the House of Representatives until the succeeding reapportionment of the entire representation in the House of Representatives, and when created shall be attached to an adjoining Senatorial District as the Legislature may determine. Should the Legislature fail to apportion the representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, whichever shall have been taken nearest any apportionment of representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the Governor shall, within thirty days after the adjournment of the regular session, call the Legislature together in extraordinary session to consider the question of reapportionment, and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment. Such extraordinary session shall consider no business other than such reapportionment, and shall not expire until reapportionment is effected pursuant hereto.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Sturgis—

S. B. No. 238—A bill to be entitled An Act to require officers authorized to serve process to do so without the preliminary payment of fees or costs, making the attorney of record responsible for payment, and providing for means to enforce payment.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

Senate Joint Resolution No. 239—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 2 OF THE CONSTITUTION OF THE STATE OF FLORIDA PERTAINING TO REGULAR AND EXTRA SESSIONS OF THE LEGISLATURE BY PROVIDING THAT LEGISLATIVE SESSIONS SHALL BE HELD ANNUALLY, AND SPECIFYING THE NATURE OF LEGISLATION TO BE ENACTED AT ALTERNATE SESSIONS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article III, Section 2 of the Constitution of the State of Florida be amended, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held on the Tuesday after the first Monday in November, 1954, as follows:

Section 2. **Regular and Extra Sessions.** The regular session of the legislature shall be held annually, commencing on the Tuesday after the first Monday in April, 1955, and on the corresponding day of every year thereafter. After the regular session in 1955, the regular legislative session held in odd numbered years shall not consider or enact any law other than appropriation, revenue, and financial measures; and the regular legislative session held in even numbered years shall not consider or enact any law relating to appropriation, revenue, and financial measures; provided, that by unanimous consent of all members voting thereon, any law may be enacted on any subject. The Governor may by proclamation convene the legislature in extra session. Regular sessions of the legislature may extend to sixty days, but

no special session convened by the Governor shall exceed twenty days.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Sturgis—

Senate Concurrent Resolution No. 240:

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING FOR THE WITHDRAWAL OF FEDERAL GOVERNMENT FROM THE FIELD OF GASOLINE TAXES.

WHEREAS, The Federal gasoline tax is levied upon the users of American highways; and

WHEREAS, From time to time the United States has changed its rate of taxation on this commodity which action makes it increasingly difficult for the respective states to develop a comprehensive tax program to provide revenues for the improvement and maintenance of their highways; and

WHEREAS, The highway system of this country and the highway systems of the several states are rapidly deteriorating because the funds needed to develop and maintain a modern highway network are not available; and

WHEREAS, The Federal Government is now distributing to the states only about two-thirds of the revenue which it is deriving from the Federal gasoline tax and is diverting the remainder to its other purposes; and

WHEREAS, If the Federal Government would withdraw from the field of gasoline taxes and the several states would increase the taxes imposed by them on gasoline and motor vehicle fuels in an amount equal to the Federal tax on gasoline, a much larger amount of revenue would be available to the several states for the purpose of developing and maintaining a modern system of highways therein; and

WHEREAS, The Eleventh General Assembly of the States which was held in Chicago, Ill., in the month of December, 1952, at which practically all of the states of the United States were represented, went on record as favoring the withdrawal of the Federal Government from the gasoline tax field; and

WHEREAS, The National Conference of Governors has declared by appropriate resolutions that the Federal Government should withdraw from the gasoline tax field; NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we respectfully urge and request the Congress of the United States to enact legislation which will:

(1) Return to each state without restriction all Federal taxes on gasoline collected therein until such time as the individual state is able to enact legislation as may be necessary to permit it to collect such tax;

(2) Eliminate the tax on gasoline now collected by the United States as soon as the individual states have enacted legislation as may be necessary to permit the state to collect the tax;

(3) Eliminate Federal aid for highways except in those states where the revenues produced by a tax of two cents per gallon of gasoline is less than present Federal aid allocations to such states;

(4) Change the present functions of the Federal Bureau of Public Roads so that it would become a consultive and advisory engineering agency which would collect, correlate and disseminate information relative to the design, construction, maintenance and operation of highways and bridges and the materials used therefor, and

BE IT FURTHER RESOLVED that the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives

of the Congress of the United States, and each member of the Florida delegation in the United States House of Representatives and the United States Senate and to the respective houses of the legislatures of the several states of the United States.

Which was read the first time in full and referred to the Committee on Finance and Taxation.

By Senator Sturgis—

S. B. No. 241—A bill to be entitled An Act amending Subsection (11) of Section 84.05, Florida Statutes, relating to mechanics' lien law; provides for surety bond or alternative method of payment for performance under a contract for the protection of owner, laborer, lienor, subcontractor, materialman and contractor; and properly made payments.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

S. B. No. 242—A bill to be entitled An Act providing a filing fee to be paid upon the filing before the Florida Parole Commission of application for restoration of the right to operate a motor vehicle.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

S. B. No. 243—A bill to be entitled An Act making it a misdemeanor to televise, broadcast or take motion pictures of certain official proceedings, and prescribing the penalty for violation hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

S. B. No. 244—A bill to be entitled An Act to amend Section 84.15, Florida Statutes, relating to mechanics' lien law; provides for filing of single claims, of lien on projects or developments made under the same contract or contracts.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sturgis—

S. B. No. 245—A bill to be entitled An Act relating to trial practice and procedure: providing that in all actions at law trial by jury shall be mandatory unless the plaintiff and defendant expressly agree in writing to a trial without jury; and providing that where the trial is without jury the judgment shall be as effectual as upon verdict.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Johnson, Shands and Melvin—

S. B. No. 246—A bill to be entitled An Act relating to soil conservation; amending Sections 582.06, 582.18 and 582.19, Florida Statutes, by abolishing the present State Soil Conservation Board and creating a new State Soil Conservation Board; by providing certain qualifications and terms of office of members of the State Soil Conservation Board; authorizing the acceptance of gifts and gratuities by the board; providing for regular and special elections for the election of supervisors of soil conservation districts; and for the conduct of such elections.

Which was read the first time by title only and referred to the Committee on Agriculture and the Committee on Governmental Reorganization, in the order named.

By Senator Leaird—

S. B. No. 247—A bill to be entitled An Act amending Section 205.63, Florida Statutes 1949, relating to the imposing of an occupational tax on persons operating for profit vending machines.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Leaird—

S. B. No. 248—A bill to be entitled An Act amending Section 210.17 Florida Statutes 1949, relating to and imposing an occupational license tax on persons operating for profit any cigarette vending machine or machines.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Leaird—

S. B. No. 249—A bill to be entitled An Act relating to liquors and beverages, amending Section 561.25, Florida Statutes, regarding officers and employees engaging in beverage business.

Which was read the first time by title only and referred to the Committee on Temperance.

Senator Ripley moved that Senate Bill No. 11 be recalled from the Committee on Finance and Taxation.

Which was agreed to and it was so ordered.

By unanimous consent Senator Ripley withdrew Senate Bill No. 11.

By unanimous consent the President ordered Senate Bill No. 185 withdrawn from the Committee on Appropriations and re-referred to the Committee on Education and the Committee on Appropriations, in the order named.

By unanimous consent Senator Connor added his name as a co-introducer of Senate Bill No. 71.

Senator Davis moved that all Bills pertaining to, or in any manner affecting the tax structure of the State of Florida be referred to the Committee on Finance and Taxation.

Pending consideration of the motion made by Senator Davis, Senator Pope moved as a substitute motion that all bills dealing with taxation shall go to the Committee on Finance and Taxation, providing that all local bills must be reported out within five days from reference date and providing further that such bills shall be referred to the Senate without recommendation but with explanation from Chairman of the Committee on Finance and Taxation as to contents and effect that such taxes may have on state finances.

Pending consideration of the substitute motion made by Senator Pope, Senator Clarke moved that the question be referred to the Committee on Rules and Calendar for consideration.

Which was agreed to and it was so ordered.

By unanimous consent the following Senators added their names to Senate Bill No. 43 as co-introducers: Senators Johns, Clarke, Gautier (28th), Lindler, Fraser and Franklin.

Senator Johnson moved that Senate Bill No. 184 be recalled from the Committee on Forestry and Parks.

Which was agreed to and it was so ordered.

By unanimous consent Senator Johnson withdrew Senate Bill No. 184.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953

*Hon. Charley E. Johns,
President of the Senate.*
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1953 Session of the Florida Legislature.

By Mr. Campbell of Okaloosa—

HOUSE JOINT RESOLUTION NO. 15—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE

VII, SECTION 3 OF THE FLORIDA CONSTITUTION PERTAINING TO APPORTIONMENT OF REPRESENTATIVES IN SENATE AND HOUSE OF REPRESENTATIVES; BY PROVIDING THAT THE LEGISLATURE MEETING IN 1955 AND THE LEGISLATURE MEETING IN 1961 AND THEN THOSE THAT MEET EVERY TEN YEARS THEREAFTER SHALL APPORTION.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article VII, Section 3 of the Florida Constitution be amended, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next general election to be held on the first Tuesday after the first Monday in November, 1954, as follows:

Section 3. Apportionment of representatives in Senate and House of Representatives.—The Legislature that shall meet in regular session A. D. 1955, and the Legislature that shall meet in regular session A. D. 1961, and then those that shall meet every ten (10) years thereafter shall apportion the representation in the Senate, and shall provide for thirty-eight (38) senatorial districts, such districts to be as nearly equal in population as practicable, but no county shall be divided in making such apportionment, and each district shall have one Senator; and at the same time the Legislature shall also apportion the representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen (18) more populous counties, and one (1) Representative of each of the remaining counties of the state at the time of such apportionment. Should the Legislature fail to apportion the representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session to apportion the representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, which ever shall have been taken nearest any apportionment of representatives in the Senate and in the House of Representatives, shall control in making any such apportionment. In the event the Legislature shall fail to reapportion the representation in the Legislature as required by this amendment, the governor shall (within thirty (30) days after the adjournment of the regular session), call the Legislature together in extraordinary session to consider the question of reapportionment and such extraordinary session of the Legislature is hereby mandatorily required to reapportion the representation as required by this amendment before its adjournment (and such extraordinary session so called for reapportionment shall not be limited to expire at the end of twenty (20) days or at all, until reapportionment is affected, and shall consider no business other than such reapportionment.)

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Joint Resolution No. 15, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. McFarlin of Jackson—

H. B. No. 42—A bill to be entitled An Act to provide that bonds or motor vehicle tax anticipation certificates issued

under authority of Section 18, Article XII of the State Constitution, shall be security for all public deposits, and legal investments for the state and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and all other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; providing accumulative effect of act and the effective date thereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 42, contained in the above message, was read the first time by title only.

Senator Clarke moved that the rules be waived and House Bill No. 42 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 42 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 42 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 42 was read the third time in full.

Upon the passage of House Bill No. 42 the roll was called and the vote was:

Yeas—33.

Mr. President	Crary	Houghton	Pope
Baker	Davis	Johnson	Rodgers
Beall	Dayton	Leaird	Rogells
Branch	Douglas	Lewis	Shands
Bronson	Floyd	Lindler	Sturgis
Carlton	Franklin	McArthur	Tapper
Clarke	Fraser	Melvin	
Collins	Gautier (28th)	Morrow	
Connor	Hodges	Pearce	

Nays—1.

Ripley

So House Bill No. 42 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Clarke withdrew Senate Bill No. 33.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Getzen of Sumter, and Conner of Bradford—

H. B. No. 51—A bill to be entitled An Act to amend Section 604.20, Florida Statutes, relating to bonds required of dealers in agricultural products.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 51, contained in the above message, was read the first time by title only and referred to the Committee on Agriculture.

Senator Leaird, President Pro Tempore, presiding.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1953.

*Hon. Charley E. Johns,
President of the Senate.*
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Costin of Gulf—

H. B. No. 189—A bill to be entitled An Act amending Section 9 of Chapter 27833, Laws of Florida, Acts of 1951, entitled, "An Act to abolish the present municipal government of the City of Port St. Joe, in the County of Gulf, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Port St. Joe, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges," relating to the election and compensation of the City Commission.

Proof of Publication Attached.

Also—.

By Mr. Alexander of Liberty—

H. B. No. 221—A bill to be entitled An Act authorizing the Board of County Commissioners of Liberty County, Florida, to grant franchises for the operation of public utilities in towns or in communities in Liberty County, Florida.

Proof of Publication Attached.

Also—.

By Mr. Alexander of Liberty—

H. B. No. 222—A bill to be entitled An Act to raise the pay of the Liberty County Tax Assessor and Tax Collector from two thousand, one hundred dollars (\$2,100.00) to three thousand dollars (\$3,000.00) to be prorated based on taxes levied by the County Commissioners and the School Board.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 189 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 189, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 221 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 221, contained in the above message, was read the first time by title only.

Senator Floyd moved that the rules be waived and House Bill No. 221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the second time by title only.

Senator Floyd moved that the rules be further waived and House Bill No. 221 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 221 was read the third time in full.

Upon the passage of House Bill No. 221 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Gollins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 221 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 222 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 222, contained in the above message, was read the first time by title only.

Senator Floyd moved that the rules be waived and House Bill No. 222 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 222 was read the second time by title only.

Senator Floyd moved that the rules be further waived and House Bill No. 222 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 222 was read the third time in full.

Upon the passage of House Bill No. 222 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 222 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953.

*Hon. Charley E. Johns,
President of the Senate.*
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Alexander of Liberty—

H. B. No. 223—A bill to be entitled An Act granting the County Commissioners of Liberty County authority to expend up to fifty dollars (\$50.00) a month for each county commissioner district for inspection and other road and bridge expense.

Proof of Publication Attached.

Also—

By Messrs. Mahon, Morgan and Westberry of Duval—

H. B. No. 224—A bill to be entitled An Act amending Section 3 of Chapter 25932, Laws of Florida, Special Acts of 1949, entitled, "An Act affecting the government of the City of Jacksonville by authorizing and requiring the city commission and the city council to place certain amounts from certain revenues of the municipal water supply system in a special fund during each of the calendar years 1949 through 1956 to be used during said years exclusively for making certain improvements and extensions to the municipal water supply system in order to effectuate a two million dollar water supply system improvement program on a pay-as-you-go basis; and providing for the source, deposit, investment and use of such fund, and the powers and duties of certain officials with reference thereto", so as to permit the fund created thereby to be used for extending water distribution lines and acquiring water systems.

Proof of Publication Attached.

Also—

By Mr. Andrews of Holmes—

H. B. No. 230—A bill to be entitled An Act to require that operators of all motor vehicles for hire or taxicabs operated in Holmes County, Florida, shall be insured under policies of liability insurance and meet minimum safety requirements; further providing certain duties for the County Commission and penalties for violations.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 223 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 223, contained in the above message, was read the first time by title only.

Senator Floyd moved that the rules be waived and House Bill No. 223 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 223 was read the second time by title only.

Senator Floyd moved that the rules be further waived and House Bill No. 223 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 223 was read the third time in full.

Upon the passage of House Bill No. 223 the roll was called and the vote was:

Yeas—38.

Mr. President	Bronson	Davis	Gautier (28th)
Baker	Carlton	Dayton	Gautier (13th)
Beall	Clarke	Douglas	Hodges
Black	Collins	Floyd	Houghton
Boyle	Connor	Franklin	Johnson
Branch	Crary	Fraser	King

Leaird
Lewis
Lindler
McArthur

Melvin
Morrow
Pearce
Pope

Ripley
Rodgers
Rogells
Shands

Sturgis
Tapper

Nays—None.

So House Bill No. 223 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 224 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 224, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 230 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 230, contained in the above message, was read the first time by title only and referred to the Committee on Insurance.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953

Hon. Charley E. Johns,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Papy of Monroe—

H. B. No. 240—A bill to be entitled An Act to guarantee payment of all expenses of the office of the county judge in and for Monroe County, State of Florida, plus an annual guaranteed remuneration or net compensation for said county judge; providing the provisions of said Act shall be effective beginning with the calendar year 1953; further providing that the provisions of said Act shall be considered cumulative to other laws.

Proof of Publication Attached.

Also—

By Mr. Papy of Monroe—

H. B. No. 241—A bill to be entitled An Act fixing the salary and/or compensation of the superintendent of public instruction of Monroe County, Florida designating the times and installments in which and the fund from which the same shall be paid; repealing all laws and parts of laws, whether general or special, in conflict with this Act to the extent of such conflict; and providing when this Act shall take effect.

Proof of Publication Attached.

Also—

By Mr. Griner of Dixie—

H. B. No. 249—A bill to be entitled An Act abolishing all justice of peace districts in Dixie County, Florida, subject to approval at a referendum election.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 240 when it was introduced in the Senate, and evidence

that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 240, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 240 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 240 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 240 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 240 was read the third time in full.

Upon the passage of House Bill No. 240 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 240 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 241 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 241, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 241 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 241 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 241 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 241 was read the third time in full.

Upon the passage of House Bill No. 241 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 241 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 249, contained in the above message, was read the first time by title only.

Senator Hodges moved that the rules be waived and House Bill No. 249 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 249 was read the second time by title only.

Senator Hodges moved that the rules be further waived and House Bill No. 249 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 249 was read the third time in full.

Upon the passage of House Bill No. 249 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 249 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 16, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Beall—

S. B. No. 134—A bill to be entitled An Act amending Section 3 of Chapter 20056, Laws of Florida, Special Acts, 1939, relating to the biennial registration of all legally qualified voters in the City of Pensacola, Florida, entitled to vote in municipal primary or general elections; extending the time for registration until the end of April each year and authorizing and ratifying the reopening of the said registration books until the end of April of 1953; repealing clause.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 134, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

SENATE BILLS ON SECOND READING

S. B. No. 167—A bill to be entitled An Act making a deficiency appropriation to the Board of Control for regional education.

Was taken up in its order.

Senator Dayton moved that the rules be waived and Senate Bill No. 167 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 167 was read the second time by title only.

Senator Dayton moved that the rules be further waived and Senate Bill No. 167 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 167 was read the third time in full.

Upon the passage of Senate Bill No. 167 the roll was called and the vote was:

Yeas—33.

Mr. President	Connor	Houghton	Ripley
Baker	Crary	King	Rodgers
Beall	Davis	Leaird	Rogells
Black	Dayton	Lewis	Shands
Branch	Douglas	Lindler	Sturgis
Bronson	Franklin	Melvin	Tapper
Carlton	Fraser	Morrow	
Clarke	Gautier (28th)	Pearce	
Collins	Gautier (13th)	Pope	

Nays—None.

So Senate Bill No. 167 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 174—A bill to be entitled An Act repealing Chapter 23795, Laws of Florida, 1947, and providing for a maximum number of one hundred and twenty (120) duty hours for firemen in any two calendar weeks in municipalities having a population of fifteen thousand (15,000) or more and providing that the shifts shall be alternated to avoid discrimination against the members of either shift and providing for twenty-four hours duty on alternate days and in emergencies and providing that the Act shall not repeal any law or ordinance of any City allowing vacation for firemen.

Was taken up in its order.

Senator Gautier (28th) moved that the rules be waived and Senate Bill No. 174 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 174 was read the second time by title only.

Senator Ripley offered the following amendment to Senate Bill No. 174:

Insert new Section following Section 3 to read as follows:

Section 4. The provisions of this Act shall not be applicable to cities in Duval County.

Senator Ripley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (28th) moved that the rules be further waived and Senate Bill No. 174, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 174, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 174, as amended, the roll was called and the vote was:

Yeas—32.

Mr. President	Collins	Gautier (28th)	Morrow
Baker	Connor	Gautier (13th)	Pearce
Beall	Crary	Houghton	Pope
Black	Davis	King	Rodgers
Branch	Dayton	Leaird	Rogells
Bronson	Douglas	Lewis	Shands
Carlton	Franklin	Lindler	Sturgis
Clarke	Fraser	Melvin	Tapper

Nays—1.

Ripley

So Senate Bill No. 174 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 107—A bill to be entitled An Act making an emergency appropriation for the State Tuberculosis Board for use in the current biennium.

Was taken up in its order.

Senator Tapper moved that the rules be waived and Senate Bill No. 107 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107 was read the second time by title only.

Senator Tapper moved that the rules be further waived and Senate Bill No. 107 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107 was read the third time in full.

Upon the passage of Senate Bill No. 107 the roll was called and the vote was:

Yeas—36.

Mr. President	Connor	Gautier (13th)	Morrow
Baker	Crary	Hodges	Pearce
Beall	Davis	Houghton	Pope
Black	Dayton	King	Ripley
Branch	Douglas	Leaird	Rodgers
Bronson	Floyd	Lewis	Rogells
Carlton	Franklin	Lindler	Shands
Clarke	Fraser	McArthur	Sturgis
Collins	Gautier (28th)	Melvin	Tapper

Nays—None.

So Senate Bill No. 107 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 26 was taken up in its order and consideration thereof was informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

Senator King asked unanimous consent of the Senate to take up and consider House Bill No. 248, out of its order.

Which was agreed to.

H. B. No. 248—A bill to be entitled An Act adopting and enacting the Florida Statutes, 1953; correcting, revising, amending and repealing certain sections therein; authorizing the inclusion of general laws of state-wide application enacted in 1953 as prima facie evidence of such laws; eliminating Volumes II and III, Florida Statutes, as a part of said statutes and authorizing the revision and reprinting of material contained therein; and providing the effective date of this Act.

Was taken up.

Senator King moved that the rules be waived and House Bill No. 248 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 248 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 248 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 248 was read the third time in full.

Upon the passage of House Bill No. 248 the roll was called and the vote was:

Yeas—36.

Mr. President	Clarke	Floyd	King
Baker	Collins	Franklin	Leaird
Beall	Connor	Fraser	Lewis
Black	Crary	Gautier (28th)	Lindler
Branch	Davis	Gautier (13th)	McArthur
Bronson	Dayton	Hodges	Melvin
Carlton	Douglas	Houghton	Morrow

Pearce	Ripley	Rogells	Sturgis
Pope	Rodgers	Shands	Tapper

Nays—None.

So House Bill No. 248 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall asked unanimous consent of the Senate to take up and consider House Bill No. 70, out of its order.

Which was agreed to.

H. B. No. 70—A bill to be entitled An Act designating the Escambia County Health Department the agency for the inspection of plumbing and enforcement of the provisions of Chapter 553, Florida Statutes, 1951, known as "Florida Plumbing Control Act of 1951", in Escambia County; to provide for the employment of plumbing inspectors and providing for the deposit and expenditure of inspection fees.

Was taken up.

Senator Beall moved that the rules be waived and House Bill No. 70 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 70 was read the second time by title only.

Senator Beall offered the following amendment to House Bill No. 70:

In Section 3, of the typewritten bill, at the conclusion thereof add the following: "Provided, however, all sums expended hereunder for such purposes shall be budgeted according to law."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and House Bill No. 70, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 70, as amended, was read the third time in full.

Upon the passage of House Bill No. 70, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 70 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall asked unanimous consent of the Senate to take up and consider House Bill No. 72, out of its order.

Which was agreed to.

H. B. No. 72—A bill to be entitled An Act to co-ordinate garbage and rubbish collection and septic tank cleaning and disposal in Escambia County, Florida for the prevention of disease; defining garbage, rubbish and excreta, establishing the authority of the Escambia County Health Department, the permitting of garbage collectors, rubbish collectors and septic tank cleaners, and repealing all laws or parts of laws in conflict herewith, and fixing the effective date of this Act.

Was taken up.

Senator Beall moved that the rules be waived and House Bill No. 72 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 72 was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 72 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 72 was read the third time in full.

Upon the passage of House Bill No. 72 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 72 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Melvin asked unanimous consent of the Senate to take up and consider House Bill No. 96, out of its order.

Which was agreed to.

H. B. No. 96—A bill to be entitled An Act authorizing Okaloosa County, Florida, to convey without charge to the State Road Department of the State of Florida, certain portions of real property owned by Okaloosa County, Florida, and located on Santa Rosa Island for use as a public park for persons who are members of the Negro Race.

Was taken up.

Senator Melvin moved that the rules be waived and House Bill No. 96 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 96 was read the second time by title only.

Senator Melvin moved that the rules be further waived and House Bill No. 96 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 96 was read the third time in full.

Upon the passage of House Bill No. 96 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 96 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shands moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 12:58 o'clock P. M.

The Senate emerged from Executive Session at 1:09 o'clock P. M., and resumed its Session.

The roll was called and the following Senators answered to their names:

Mr. President	Bronson	Davis	Gautier (28th)
Baker	Carlton	Dayton	Gautier (13th)
Beall	Clarke	Douglas	Hodges
Black	Collins	Floyd	Houghton
Boyle	Connor	Franklin	Johnson
Branch	Crary	Fraser	King

Leaird
Lewis
Lindler
McArthur

Melvin
Morrow
Pearce
Pope

Ripley
Rodgers
Rogells
Shands

Sturgis
Tapper

—38.

A quorum present.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:10 o'clock P. M., until 11 o'clock A. M., Friday, April 17, 1953.

EXECUTIVE SESSION ANNOUNCEMENT

The Senate, in Executive Session on April 16, 1953, advised and consented to the following appointment made by the Governor:

Joe Hill Williams, Starke, Assistant State Attorney for the Eighth Judicial Circuit, for a term ending July 31, 1955.